



ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

01 NOV 2007

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE FOR HEALTH  
AFFAIRS

SUBJECT: Establishment of the Traumatic Brain Injury Family Caregiver Panel

The Traumatic Brain Injury Family Caregiver Panel, as directed by section 744 of Public Law 109-364 (John Warner National Defense Authorization Act for Fiscal Year 2007), may be established as a subcommittee of the Defense Health Board.

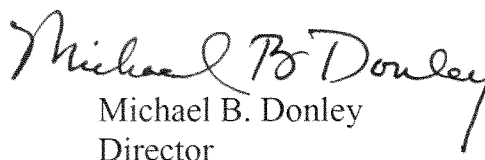
Even though the Panel will not be considered a chartered Federal advisory committee, it must comply with: (a) all the provisions of section 744 of P.L. 109-364; and (b) the spirit and intent of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), and the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b).

Whenever the Panel meets for the purpose of deliberating on the substantive matters upon which it is providing advice or recommendations, it must meet under the open-meeting rules of the FACA and Sunshine Acts. In addition, the Panel's recommendations, prior to being submitted to the government's decision maker, must be deliberated under the same open-meeting rules by the DHB.

Since other DHB subcommittees (e.g., the Department of Defense Task Force on the Future of Military Health Care) must comply with the same restrictions, both the DHB's Executive Secretary and Designated Federal Officer are familiar with the steps that must be taken, and can provide additional guidance to the Panel members.

My Committee Management Officer (CMO) is required to notify the Committee Management Secretariat for the General Services Administration of DoD's action to establish this non-discretionary advisory committee as a DHB subcommittee. In the meantime, you may work with Jim O'Beirne and his staff to obtain the Secretary or Deputy Secretary of Defense's approval to appoint your committee members.

If you have questions please contact my CMO, Mr. Frank Wilson, at (703) 601-2554, extension 113, or me.

  
Michael B. Donley  
Director

